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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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UNITED STATES OF AMERICA	:	Hon. Susan D. Wigenton, U.S.D.J.
	:	
v.	:	Crim. No. 09-265 (SDW)
	:	
ANTHONY PETERSON,	:	
JAMES HOLMES and	:	<b><u>ORDER</u></b>
ABDULLAH MUHAMMAD	:	

This matter having been opened to the Court on the application of the defendant Anthony Peterson (Donald McCauley, Esq. and Patrick N. McMahon, Esq. appearing), with the consent of defendants James Holmes (Joseph R. Donahue, Esq., appearing) and Abdullah Muhammad (Gary L. Cutler, Esq. appearing), and the consent of Paul J. Fishman, United States Attorney for the District of New Jersey (Dennis C. Carletta, Assistant United States Attorney, and Lakshmi Srinivasan Herman, Assistant United States Attorney, appearing), and good cause having been shown, the Court makes the following findings:

1. For purposes of excluding time under 18 U.S.C. §3161(h)(1)(F) of the Speedy Trial Act, that the additional extension of time for argument of pretrial motions currently scheduled for June 7, 2010 is reasonably necessary to make defendants' anticipated applications ready for judicial determination, and that the additional extension of time for trial, currently scheduled for June 14, 2010, is reasonably necessary to enable counsel for all parties to adequately prepare for trial;
2. The attorneys for the defendants and the government have consented to an adjournment of these proceedings via telephone and email correspondence.

3. That as a result of the anticipated and significant delays referenced above, the parties will require additional time to consider plea negotiations, which if contemplated and if successful would render the presentation of this matter to a jury for trial unnecessary;
4. That the grant of a continuance would likely conserve judicial resources; and that
5. The ends of justice served by a continuance of the current trial date in this matter outweigh the interest of the public and the defendants in a speedy trial.

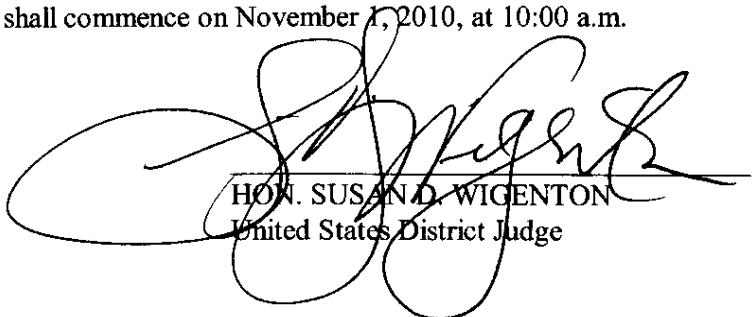
IT IS, therefore, on this 20<sup>th</sup> day of May, 2010,

ORDERED that the trial date in this matter is continued until November 1, 2010, and that the period of time from May 20, 2010, through November 1, 2010, shall be excluded for the purposes of computing time under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(8)(A), (h)(8)(B)(ii) and (h)(8)(B)(iv); and it is further

ORDERED that:

- Motions shall  
be heard on Thurs,  
Oct. 14, 2010 at  
3:30 pm.*
1. Defendants shall file pretrial motions on or before October 14, 2010;
  2. The government shall respond to such motions on or before October 28, 2010;
  3. Trial shall commence on November 1, 2010, at 10:00 a.m.

SO ORDERED

  
HON. SUSAN D. WIGENTON  
United States District Judge